

REMARKS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 6-8 and 10-39 are pending; Claims 1-5 and 9 have been cancelled; Claims 6 and 10 have been amended; and Claims 11-39 have been newly added by this amendment. It is respectfully submitted that no new matter has been added by this amendment.

In the outstanding Office Action, Claims 1 and 5 were rejected under 35 U.S.C. § 102(b) as anticipated by Japanese Patent Application No. 63-115333 (hereafter JP '333); Claims 1 and 9 were rejected under 35 U.S.C. § 102(b) as anticipated by Currie et al. (U.S. Pat. No. 5,429,854, hereafter Currie); and Claims 2-4 were rejected under 35 U.S.C. § 103(a) as unpatentable over JP '333.

Regarding the rejections of Claims 1-5 and 9, it is respectfully submitted that these rejections have been obviated by this amendment, as this amendment cancels Claims 1-5 and 9.

Applicants acknowledge with appreciation the indication that Claims 6-8 and 10 contain allowable subject matter. Claims 6 and 10 have been amended herewith to be in independent form. Therefore, it is respectfully submitted that Claims 6-8¹ and 10 are in condition for allowance.

Newly-added Claims 11-39 are likewise believed to be in condition for allowance, as they recite additional features patentably distinguishing over the references of record. Support for newly-added Claims 11-39 may be found, for example, in the non-limiting depictions of Figures 1-3 and in the specification at pages 3-8. It is therefore respectfully submitted that no new matter has been added by Claims 11-39.

¹ Claims 7 and 8 depend from Claim 6.

Independent Claims 11, 36, and 37 all recite that a brush includes a base formed of a single layer and a plurality of projection formed on a surface of the base, wherein the plurality of projections is formed from portions of the base that protrude from the surface of the base. Additionally, the independent claims recite that the base has a height toward a center portion that is greater than a height toward a peripheral portion.

JP '333 relates to a disposable toothbrush. As depicted in Figure 7 of JP '333, a user inserts his finger in the opening 3 to use the toothbrush. However, JP '333 neither discloses nor suggests that a base of the brush has a greater height toward a center portion when compared with a height at a peripheral portion. Accordingly, it is respectfully submitted that pending Claims 11-39 patentably distinguish over JP '333.

Currie relates to an abrasive absorbent composite non-woven web. As is evident from both the abstract and Figure 5 of Currie, the abrasive composite non-woven web includes a plurality of layers. Therefore, it is respectfully submitted that Currie fails to disclose or suggest a based formed of a single layer having protrusions.

Moreover, it is respectfully submitted that a base formed of a single layer would not be obvious from the disclosure of Currie, because the different layers of Currie form different strengthening functions. Specifically, the upper layers are an abrasive layer of the abrasive precursor composite. The interior layer is an absorbent abrasive composite non-woven web material.² From this description, it is evident that one of ordinary skill in the art would not be motivated to form a single layer base, because one of ordinary skill in the art would interpret from the description of Currie that a plurality of layers is necessary in order for a properly-functioning non-woven web abrasive absorbent composite. Consequently, it is respectfully submitted that pending Claims 11-39 patentably distinguish over Currie.

² Currie, col. 6, lines 20-29.

Therefore, in view of the foregoing discussion and present amendments, it is respectfully submitted that this case is in condition for allowance. Accordingly, an early and favorable action is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



J. Derek Mason, Ph.D.
Registration No. 35,270
Attorney of Record
Katherine D. Pauley
Registration No. 50,607



22850

Tel No: (703) 413-3000
Fax No: (703) 413-2220
JDM/KDP/dmr

I:\ATTY\KDP\0327\0327 0836\0327 0836 AMEND.REV.DOC